

RECORD OF ENVIRONMENTAL  
CONSIDERATION (REC)

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project PA-02-PR-4339-PW-09522

Title: 155638 - Project 1 - Toa Baja/Comerio/Dorado

## NEPA DETERMINATION

<b>Non Compliant Flag:</b> No	<b>EA Draft Date:</b>	<b>EA Final Date:</b>
<b>EA Public Notice Date:</b>	<b>EA Fonsi</b>	<b>Level:</b> CATEX
<b>EIS Notice of Intent</b>	<b>EIS ROD Date:</b>	

**Comment** : PR Industrial Development Company, Project 1 - Toa Baja/Comerio/Dorado, DI #407586 (18.44705, -66.25339), DI #407776 (18.22512, -66.22242), DI #407817 (18.46278, -66.27303), category E, 0% work complete. The Applicant will utilize contracts and (or) force accounts for repairs and restore facilities back to pre-disaster design, function, and capacity (in-kind) within the existing footprint. DI #407586 remove and replace; in-kind aluminum flashing, waterproofing membrane (sbs) modified bituminous composite and metal deck. MITIGATION; install LF of termination bar along the roof perimeter, modified bituminous air barrier, roof deck insulation and additional metal roof fasteners. DI #407776 remove and replace; chain link fence and perimeter pedestrian gate. MITIGATION; reduce fencing post to eight (8) feet apart, and to burry with additional one (1) feet of depth per each post. DI #407817 remove and replace; waterproofing membrane (sbs) modified bituminous composite, LF long, ga, perimeter fence, parking entrance gate. Replace automatic main vehicular entrance gate. Clean, prepare and paint ceilings. MITIGATION; LF of termination bar along the roof, modified bituminous air barrier, roof deck insulation and reduce fencing post to eight (8) feet apart, and to burry with additional one (1) feet of depth per each post. - msepulv2 - 10/12/2021 18:35:24 GMT

## CATEX CATEGORIES

Catex Category Code	Description	Selected
*n7	(*n7) Federal Assistance for Structure and Facility Upgrades. Federal assistance for the reconstruction, elevation, retrofitting, upgrading to current codes and standards, and improvements of pre-existing facilities in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use. This category does not include actions within or affecting streams or stream banks or actions seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified).	Yes

## EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

## ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project is located in a non-attainment area	Standard Comment: Based on the Nonattainment Areas and Designations Map Server from the US Environmental Protection Agency (EPA) Office of Air Quality Planning and Standards (OAQPS), accessed on October 08, 2021, DI

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Environmental Law/ Executive Order	Status	Description	Comment
			#407586 the project is located within an identified non-attainment area, however, due to the nature of the proposed scope of work, action does not have the potential to affect air quality. - msepulv2 - 10/12/2021 16:51:03 GMT
	Completed	Coordination required with applicable state administering agency - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded	
Executive Order 11988 - Floodplains	Completed	Located in floodplain or effects on floodplain/flood levels	: Complete/portions of the project is located in the floodplain as mapped on the ABFE available at <a href="https://gis.fema.gov/PuertoRicoABFEs/">https://gis.fema.gov/PuertoRicoABFEs/</a> accessed on October 08, 2021. FEMA has applied the 8-step decision-making process per 44 CFR 9.6, and has determined that the project will not result in short or long-term adverse impacts to or from the floodplain. The Initial Disaster Public Notice was published in El Vocero for DR-4339 on December 17, 2017. See Condition. - msepulv2 - 10/12/2021 16:57:32 GMT
	Completed	Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment	
	Completed	8 Step Process Complete - documentation attached - Review concluded	
Executive Order 11990 - Wetlands	Completed	Located in wetlands or effects on wetlands	Per the USFWS Wetlands Inventory Mapper, accessed on October 08, 2021, the proposed scope of work is located in or adjacent to a wetland. An 8-Step review process was completed, as mandated by Executive Order 11988. There are no practicable alternatives to the proposed action. - msepulv2 - 10/12/2021 17:08:42 GMT

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Title: 155638 - Project 1 - Toa Baja/Comerio/Dorado

Environmental Law/ Executive Order	Status	Description	Comment
	Completed	Possible adverse effect associated with constructing in or near wetland	
	Completed	Review completed as part of floodplain review - Review concluded	
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	Per review of the U.S. Fish and Wildlife Service's Information, Planning, and Consultation System (IPaC), dated October 8, 2021, FEMA has determined that threatened/endangered species and/or critical habitat are present at the project site(s): DI #407586 (18.44705, -66.25339). Based on the project location and scope of work, FEMA has made the following determinations using the PR ESA Matrix in accordance with the agreement between FEMA and the USFWS PR Field Office, dated November 17, 2020: NE- (Epicrates inornatus). DI #407776 (18.22512, -66.22242). Based on the project location and scope of work, FEMA has made the following determinations using the PR ESA Matrix in accordance with the agreement between FEMA and the USFWS PR Field Office, dated November 17, 2020: NLAA- (Epicrates inornatus); NE- (Patagioenas inornata wetmorei). DI #407817 (18.46278, -66.27303). Based on the project location and scope of work, FEMA has made the following determinations using the PR ESA Matrix in accordance with the agreement between FEMA and the USFWS PR Field Office, dated November 17, 2020: NLAA- (Epicrates inornatus) and (Peltophryne lemur); NE- (Chamaecrista glandulosa var. mirabilis). - msepulv2 - 10/12/2021 16:45:33 GMT
	Completed	May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence attached) - Review concluded	

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project PA-02-PR-4339-PW-09522

Title: 155638 - Project 1 - Toa Baja/Comerio/Dorado

Environmental Law/ Executive Order	Status	Description	Comment
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Not Applicable	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date and # in comments) - Review concluded	NHPA: The proposed activity for DI #407586; T085606800 complies with programmatic allowance Tier II, Allowances B.6.c and B.8.a; --- - DI #407776; S075606600 complies with programmatic allowance Tier II, Allowance A.2.b; ---- DI #407817; T095706800 complies with programmatic allowances Tier II, Allowance A.2.b, B.5.a, B.6.c, and B.8.a, as identified in Appendix B of the Puerto Rico Programmatic Agreement among FEMA, PRSHPO, and the COR3, as amended November 13, 2019. This determination was made by Elegna Rodriguez Sanabria (Historic Architecture) and Daniel Rendon Cruz (Archaeology) who meet the applicable SOI qualifications, pursuant to Stipulation I.B.1.a of the Agreement. - ssargen1 - 10/08/2021 18:14:17 GMT
Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)	Completed	Review concluded	The applicant is responsible to ensure potentially hazardous materials, if any, shall be removed and disposed of in accordance with all applicable federal and state laws and local compliance requirements. At time of closeout, all final disposition areas must be identified, and permit numbers must be provided. - msepulv2 - 10/12/2021 16:55:41 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

## CONDITIONS

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

**Project** PA-02-PR-4339-PW-09522

**Title:** 155638 - Project 1 - Toa Baja/Comerio/Dorado

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### Special Conditions required on implementation of Projects:

: Applicant must obtain any required permits from the Planning Board prior to initiating work and comply with any conditions of the permit. All coordination (emails, letters, documented phone calls) pertaining to these activities and compliance must be provided and maintained in the Applicant's permanent files.

Source of condition: Executive Order 11988 - Floodplains

Monitoring Required: No

The Applicant shall ensure best management practices are implemented to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. To ensure that wetlands are not adversely impacted, per the Clean Water Act and Executive Order 11990, equipment storage and staging of construction materials and machinery must be in a location that would prevent erosion and sedimentation.

Source of condition: Executive Order 11990 - Wetlands

Monitoring Required: No

Puerto Rican Boa (*Epicrates inornatus*) for DI #407776 and DI #407817

1. Inform all personnel about the potential presence of the PR boa and the VI boa in areas where the proposed work will be conducted. Photographs of the PR and VI Boa are to be prominently displayed at the site. The recipient must ensure that project personnel is able to correctly identify a PR or VI boa. For information on PR boa, please visit: <https://ecos.fws.gov/ecp/species/6628>.
2. Prior to any construction activity, including removal of vegetation and earth movement, the boundaries of the project area must be delineated, buffer zones, and areas to be excluded and protected, should be clearly marked in the project plan and in the field to avoid further habitat degradation into forested areas. Once areas are clearly marked, and prior to any construction activity, including site preparation, project personnel able to correctly identify a PR or VI boa must survey the areas to be cleared to ensure that no boas are present within the work area. Vehicle and equipment operation must remain on designated access roads/paths and within rights-of way.
3. If a PR boa is found within any of the working or construction areas, activities should stop in the area where the boa was found. Do not capture the boa. If boas need to be moved out of harm's way, project personnel designated by the recipient shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: 787-724-5700, 787-230-5550, 787-771-1124). If immediate relocation is not an option, project-related activities at this area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.
4. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the boa (PRDNER phone #: 787-724-5700, 787-230-5550, 787-771-1124). If not possible, the animal should be left alone until it leaves the vehicle on its own.
5. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If PR boas are found within debris piles, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.
6. For all boa sightings (dead or alive), personnel designated by the recipient must record the time and date of the sighting and the specific location where the boa was found. Data should also include a photo of the animal dead or alive, and site GPS coordinates, and comments on how the animal was detected and its behavior. If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. All boa-sighting reports should be sent to the USFWS Caribbean Ecological Services Field Office, Marelisa Rivera - Deputy Field Supervisor, 787-851-7297 extension 206, 787-510-5207, [marelisa\\_rivera@fws.gov](mailto:marelisa_rivera@fws.gov).

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

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Project PA-02-PR-4339-PW-09522

Title: 155638 - Project 1 - Toa Baja/Comerio/Dorado

Puerto Rican Crested Toad (PRCT) (Peltophryne lemur) DI #407817

The Puerto Rican Crested Toad (PRCT): Outside breeding events, the species is difficult to detect. The PRCT seems to be more active at night, from 7:30 pm to 1:00 am, and have been observed using small holes and crevices to access underground chambers as daytime retreats. The USFWS has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the PRCT and its habitat.

1. Inform all project personnel about the potential presence of the PRCT in areas where the proposed work will be conducted. A pre-construction meeting shall be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PRCTs. An educational poster or sign with photo or illustration of the species should be displayed at the project site.
2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected shall be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.
3. Strict measures shall be established to minimize toad casualties by motor vehicles or other equipment in areas where the species is known to occur. Once the access routes are determined, maintain the traffic (human and vehicle) within designated access to minimize affecting toads and habitat. Personnel shall pay attention in those access routes particularly at night, and after heavy rains to avoid mortality of toads.
4. Before earth movement, vegetation clearing or debris removal activities commence each workday, a biologist or personnel with experience identifying and searching for toads shall survey the work area to ensure that no toads are present or can be affected by the work activities for that day. If a crested toad is observed any time within the operational area of the project, cease or delay activities in this area until the toads move out of the area on their own. Activities at other work sites, where no toads have been found after surveying, may continue.
5. We recommend the use of sound recorders and monitoring of ponds, if present, within or near the project area to detect toad activities and breeding events, particularly during the rainy season.
6. Avoid impacts to drainages and avoid interrupting water flow.
7. If a PRCT is in an imminent risk of being affected by the project, contact DNER and the USFWS.
8. For all PRCT sightings (dead or alive), record the time and date of the sighting and the specific location and contact the USFWS. If you have any questions regarding the above conservation measures, please contact the USFWS:
  - i. Marelisa Rivera, Deputy Field Supervisor
  - ii. Email: marelisa\_rivera@fws.gov
  - iii. Office phone 787-851-7297 ext. 206 or mobile 787-510-5207

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

1. The Applicant shall handle, manage, and dispose of all types of hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR DNER guidelines at a permitted site or landfill.
2. For asbestos containing material and lead base paint the Applicant shall handle, manage, and dispose of all types of hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR-DNER guidelines at a permitted site or landfill or provide evidence of the close out permit from PR-DNER for activities of remediation, abatement or removal of those materials.
3. Unusable equipment, debris, white goods, scrap metal any other material shall be disposed in approved manner and location. In the event significant items are discovered during the implementation or development of the project the Applicant shall handle, manage and dispose petroleum products, hazardous materials and toxic waste in accordance to the requirements of the local and federal agencies. Noncompliance with these requirements may jeopardize receipt of federal funds.

Source of condition: Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)

Monitoring Required: No

Standard Conditions:

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

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Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.



## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project PA-02-PR-4339-PW-08583

Title: 155838 - Project-3 - Trujillo Alto

## NEPA DETERMINATION

Non Compliant Flag: No                      EA Draft Date:                      EA Final Date:  
EA Public Notice Date:                      EA Fonsi                      Level: CATEX  
EIS Notice of Intent                      EIS ROD Date:

**Comment** PR INDUSTRIAL DEVELOPMENT COMPANY, 155838 - Project-3 - Trujillo Alto: DI#407866 (18.36222, -65.99654) & DI#407868 (18.36315, -65.99603). The Applicant will utilize contracts to repair the facilities within the existing footprint. Work to be completed involves prep and paint the ceiling and remove and replace the following components: lighting fixtures, one concrete pole, and 380 LF of perimeter fence at DI#407866; and cement board, waterproofing membrane, flashing, lighting fixtures, one glass window, one aluminum door, two swing gates, and 230 LF of perimeter fence at DI#407868. MITIGATION: 406 Mitigation measures proposed consist on strengthening the chain-link fence at both damages and add an insulated roof fill, drip edge, and cap flashing and install a storm shutter at DI#407868. - ncolonpe - 03/18/2021 20:01:56 GMT

## CATEX CATEGORIES

Catex Category Code	Description	Selected
*n7	(*n7) Federal Assistance for Structure and Facility Upgrades. Federal assistance for the reconstruction, elevation, retrofitting, upgrading to current codes and standards, and improvements of pre-existing facilities in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use. This category does not include actions within or affecting streams or stream banks or actions seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified).	Yes

## EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

## ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project will not result in permanent air emissions - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project PA-02-PR-4339-PW-08583

Title: 155838 - Project-3 - Trujillo Alto

Environmental Law/ Executive Order	Status	Description	Comment
Coastal Zone Management Act (CZMA)	Completed	Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded	
Executive Order 11988 - Floodplains	Completed	No effect on floodplain/flood levels and project outside floodplain - Review concluded	Based on the ABFE available at <a href="https://gis.fema.gov/PuertoRicoABFEs/">https://gis.fema.gov/PuertoRicoABFEs/</a> accessed on (3/18/2021), the project is outside the floodplain and has no effect on the floodplain values. - ncolonpe - 03/18/2021 19:59:39 GMT
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	Per the USFWS Wetlands Inventory Mapper, accessed on (3/18/2021), the proposed scope of work is not located in a wetland. - ncolonpe - 03/18/2021 19:59:48 GMT
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	Per review of the U.S. Fish and Wildlife Service's Information, Planning, and Consultation System (IPaC), dated (3/18/2021), FEMA has determined that threatened/endangered species and/or critical habitat are present at the project sites: (18.36222, -65.99654) & (18.36315, -65.99603). Based on the project location and scope of work, FEMA has made the following determination using the PR ESA Matrix in accordance with the agreement between FEMA and the USFWS PR Field Office, dated November 17, 2020: Not Likely to Adversely Affect (NLAA) ¿ (Puerto Rican Boa ( <i>Epicrates inornatus</i> )). - ncolonpe - 03/18/2021 19:56:22 GMT
	Completed	May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence attached) - Review concluded	
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Not Applicable	Project does not affect, control, or modify a waterway/body of water - Review concluded	

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project PA-02-PR-4339-PW-08583

Title: 155838 - Project-3 - Trujillo Alto

Environmental Law/ Executive Order	Status	Description	Comment
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date and # in comments) - Review concluded	The proposed activity for DI # 407866 T-1394-86 -1 complies with programmatic allowance(s) Tier I, Allowance(s) B.1, and Tier II Allowance(s) A.2.b and D.1.a; DI # 407868 T-1429-0-88-00 complies with Tier I B.1 and Tier II A.2.b, as identified in Appendix B of the Puerto Rico Programmatic Agreement among FEMA, PRSHPO, and the COR3, as amended November 13, 2019. This determination was made by Elegna Rodriguez Sanabria (Historic architect) and Daniel Rendon Cruz (Archaeologist) who meet the applicable SOI qualifications, pursuant to Stipulation I.B.1.a of the Agreement. Dates of construction of DI # 407866 T-1394-86-1 is 1986 and for DI # 407868 T-1429-0-88-00 is 1988, dates verified with USGS Topo view maps and PRIDCO. PRIDCO includes date of construction in property tag number. - erodri90 - 03/18/2021 18:11:29 GMT
Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)	Completed	Review concluded	The applicant is responsible to ensure potentially hazardous materials, if any, shall be removed and disposed of in accordance with all applicable federal and state laws and local compliance requirements. - ncolonpe - 03/18/2021 19:58:57 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

## CONDITIONS

**Special Conditions required on implementation of Projects:**

Conservation Measures for the Puerto Rican Boa

1. Inform all personnel about the potential presence of the PR boa and the VI boa in areas where the proposed work will be conducted. Photographs of the PR and VI Boa are to be prominently displayed at the site. The recipient must ensure

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Project PA-02-PR-4339-PW-08583

Title: 155838 - Project-3 - Trujillo Alto

that project personnel is able to correctly identify a PR or VI boa. For information on PR boa, please visit: <https://ecos.fws.gov/ecp/species/6628>.

2. Prior to any construction activity, including removal of vegetation and earth movement, the boundaries of the project area must be delineated, buffer zones, and areas to be excluded and protected, should be clearly marked in the project plan and in the field to avoid further habitat degradation into forested areas. Once areas are clearly marked, and prior to any construction activity, including site preparation, project personnel able to correctly identify a PR or VI boa must survey the areas to be cleared to ensure that no boas are present within the work area. Vehicle and equipment operation must remain on designated access roads/paths and within rights-of way.

3. If a PR boa is found within any of the working or construction areas, activities should stop in the area where the boa was found. Do not capture the boa. If boas need to be moved out of harm's way, project personnel designated by the recipient shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: 787-724-5700, 787-230-5550, 787-771-1124). If immediate relocation is not an option, project-related activities at this area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.

4. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the boa (PRDNER phone #: 787-724-5700, 787-230-5550, 787- 771-1124). If not possible, the animal should be left alone until it leaves the vehicle on its own.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

5. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If PR boas are found within debris piles, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.

6. For all boa sightings (dead or alive), personnel designated by the recipient must record the time and date of the sighting and the specific location where the boa was found. Data should also include a photo of the animal dead or alive, and site GPS coordinates, and comments on how the animal was detected and its behavior. If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. All boa sighting reports should be sent to the USFWS Caribbean Ecological Services Field Office, Marelisa Rivera - Deputy Field Supervisor, 787-851-7297 extension 206, 787-510-5207, marelisa\_rivera@fws.gov.

For Virgin Islands Boas in St. Thomas and Steven's Cay US Virgin Islands (VI boas have not been reported on St. Croix or St. John):

7. Follow the same guidance above but contact the VI Division of Fish and Wildlife (VIDFW), for technical assistance (340-775-6762) and capture of any VI boas. For information on USVI boa, please visit: <https://ecos.fws.gov/ecp/species/3247>  
The VIDFW has developed site-specific VI boa protocol; Applicants will be responsible for executing conservation measures recommended by VIDFW. Final project report to be submitted to USFWS.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

The Applicant must provide documentation at close-out that proves completion of required Conservation Measures.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

The Applicant shall handle, manage, and dispose of all solid and hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR DNER guidelines at a permitted site or landfill.

Unusable equipment, debris, white goods, scrap metal any other material shall be disposed in approved manner and location. In the event significant items are discovered during the implementation or development of the project the

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

**Project** PA-02-PR-4339-PW-08583

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Applicant shall handle, manage and dispose petroleum products, hazardous materials and toxic waste in accordance to the requirements of the local and federal agencies. Noncompliance with these requirements may jeopardize receipt of federal funds.

Source of condition: Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)

Monitoring Required: No

**Standard Conditions:**

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.